

**DISTRICT JUDGE'S MINUTES  
IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA – PHOENIX**

**U.S. District Judge: Susan M. Brnovich**

**Date: August 19, 2019**

**USA v. Lacey et al**

**Case Number: CR-18-00422-PHX-SMB**

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**AMENDED**

**Assistant U.S. Attorney: Kevin Rapp, Andrew Stone, Peter Kozinets, Margaret Perlmeter**

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**Defendant-1: Michael Lacey**

**Interpreter: N/A**

**Attorney for Defendant: Paul Cambria, Janey Henze-Cook, Tom Henze, Robert Corn-Revere, Retained**

**Defendant:   X Present   Not Present/Waived                   ☒ Released   ☐ Custody**

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**Defendant-2: James Larkin**

**Interpreter: N/A**

**Attorney for Defendant: Thomas Bienert Jr., Whitney Bernstein, Robert Corn-Revere Retained**

**Defendant:   ☒ Present   ☐ Not Present   ☒ Released   ☐ Custody   ☐ Summons   ☐ Writ**

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**Defendant-3: Scott Spear**

**Interpreter: N/A**

**Attorney for Defendant: Bruce Feder, Retained**

**Defendant:   ☒ Present   ☐ Not Present   ☒ Released   ☐ Custody   ☐ Summons   ☐ Writ**

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**Defendant-4: John Brunst**

**Interpreter: N/A**

**Attorney for Defendant: Ariel Neuman Retained**

**Defendant:   ☒ Present   ☐ Not Present   ☒ Released   ☐ Custody   ☐ Summons   ☐ Writ**

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**Defendant-6: Andrew Padilla**

**Interpreter: N/A**

**Attorney for Defendant: David Eisenberg, CJA**

**Defendant:   ☐ Present   ☒ Not Present   ☒ Released/Waived                   ☐ Custody   ☐  
Summons   ☐ Writ**

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**Defendant-7: Joye Vaught**

**Interpreter: N/A**

**Attorney for Defendant: Joy Bertrand, CJA**

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Motion hearing held.

Motion for Sanctions (Doc. 679); Motion to Dismiss (Doc.561); Motions to compel (Docs. 662,665)  
Motion for Discovery (Doc. 531).

Parties are in agreement the argument on the motion for sanctions will not be sealed. Contents of the motion and related documents shall remain sealed and not disclosed during the hearing.

Motion for Sanctions (Doc. 679) is denied.

Motions to compel (Docs. 662,665) are granted in part and denied in part. Government shall disclose all Jencks and impeachment material in their possession by the end of day 8/20/2019. Defendants are prohibited from making copies for their clients and the discovery is to remain in the custody of the attorneys at their law offices. Counsel and their clients may meet and go over the discovery. The material shall not be disclosed to any outside parties. Court will issue a written order. **LATER:** Court will advise the parties that the motions are denied as to an order to show cause imposing sanctions on the government for violation of the Court's scheduling order.

Motion to Dismiss (Doc. 561) is taken under advisement.

IT IS ORDERED prohibiting the parties from filing any further motions to compel or motions for discovery until the parties contact the Court to discuss.

Defense counsel shall provide the Court a list of document numbers that they think relate to a sealed document and that they are entitled to receive a copy after discussing with the government.

Court will review the motion for discovery (Doc. 531) and issue a minute order if further argument is necessary.

Court Reporter Christine Coaly  
Deputy Clerk Traci Abraham

Start: 9:08 AM  
Stop: 10:30 AM  
Start: 10:35 AM  
Stop: 11:49 AM